

**25044. Misbranding of Dr. Goudy's Magic Liniment. U. S. v. 27 Bottles of Dr. Goudy's Magic Liniment. Default decree of condemnation and destruction. (F. & D. no. 35548. Sample no. 23159-B.)**

This case involved a drug preparation the labeling of which bore unwarranted curative and therapeutic claims. The labeling was further objectionable, since the alcohol present in the article was not declared, no declaration appearing on the carton, and that appearing on the bottle label being incorrect.

On May 28, 1935, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 27 bottles of Dr. Goudy's Magic Liniment at Duluth, Minn., alleging that the article had been shipped in interstate commerce on or about October 11, 1934, by the Dr. Goudy Remedy Co., from Charleston, Ill., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of phenol (7.5 grams per 100 milliliters), extracts of plant drugs including chrysophanic acid and chrysarobin (alcohol 17 percent), and water.

The article was alleged to be misbranded in that the statement on the bottle label, "50 per cent of it is ethyl alcohol", was false and misleading. Misbranding was alleged for the further reason that the package failed to bear on its label a statement of the quantity or proportion of the alcohol contained therein, since no reference to alcohol appeared on the carton, and the statement on the bottle label was incorrect. Misbranding was alleged for the further reason that the following statements appearing in the labeling were statements regarding the curative or therapeutic effects of the article and were false and fraudulent: (Label) "The Greatest Healer Known \* \* \* no unsightly scar or blemish will mark the seat of the injury, and the hair will cover the wounded surface as though it had never been disturbed"; (circular) "A Sure and Speedy Cure For \* \* \* Eczema, Dog and Snake Bites, Lockjaw, Punctures by Rusty Nails and All Other Injuries Where Poisonous Tendency Is Imparted—Leaving the Wounded Surface Without a Scar \* \* \* We guarantee that no unsightly scar blemish will mark the seat of injury and the hair will cover the wounded surface as though it had never been disturbed. Fistula, Piles, \* \* \* Eczema \* \* \* In the household, it insures immunity from the many distressing complications often following burns, punctures by rusty nails, pin scratches, dog and snake bites and other injuries of like nature where a poisonous tendency is imparted. \* \* \* [Testimonials] 'My daughter had an eczema on her chin. She was being treated by the best physicians without success. It spread to the surrounding tissues. I was induced to try Goudy's Liniment. \* \* \* It required but a few applications to effect a cure'; \* \* \* as a valuable dressing for all wounds and burns'; \* \* \* it never fails to heal and without leaving the slightest scar'; \* \* \* 'So many cures of badly lacerated cuts have been reported to us by customers that we do not hesitate to guarantee it to quickly and permanently cure without scar or blemish any cut, burn or sore.'"

On July 26, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**25045. Misbranding of Walter's Radiant Hair Rejuvenator. U. S. v. 22 Cartons of Walter's Radiant Hair Rejuvenator. Default decree of condemnation and destruction. (F. & D. no. 35549. Sample no. 32311-B.)**

This case involved a drug preparation the labeling of which contained unwarranted curative and therapeutic claims. The labeling was further objectionable since the article contained undeclared alcohol and it was labeled as being a harmless preparation for the restoration of the natural color of the hair; whereas it was not a harmless preparation and would not restore the natural color of the hair.

On May 28, 1935, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 22 cartons of Walter's Radiant Hair Rejuvenator at Des Moines, Iowa, alleging that the article had been shipped in interstate commerce on or about March 12, 1935, by Walter's Products Co., Inc., from St. Paul, Minn., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of lead acetate, sulphur, boric acid, quinine, glycerin, alcohol (14.7 percent), water, and perfume.